

MINUTES

ELEVATOR INSTALLATION, REPAIR AND MAINTENANCE WORK EXAMINING BOARD

JUNE 2, 2015

The meeting was called to order by Board Member John DeRosa, Jr. at 9:00 a.m. in Room 117 at the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: John R. DeRosa, Jr., Journeyperson, Acting
Chairperson
Paul Farnsworth, Contractor
Joseph Bayusik, Contractor
Thomas J. O'Reilly, Contractor

Members Absent: Michael D. Griffin, Journeyperson

Board Vacancies: Three Public Members

DCP Board Staff: Richard M. Hurlburt, Director
Karen Layman, Secretary

Others Present: Raul Rodriguez, Assistant Attorney General
Karen Wackerman, Esq.
Owen Golding, Dept. of Labor
Clifford Bullock
Annie Bullock Broughal
Asrar Ahmed
Gil LeClair

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135 or Fax: (860) 706-1255.

Agency Website: www.ct.gov/dcp **Division E-Mail:** dcp.occupationalprofessional@ct.gov

MINUTES FROM PREVIOUS MEETINGS:

The Board reviewed the minutes of the April 7, 2015 Elevator Installation, Repair, and Maintenance Work Examining Board meeting and voted to approve the minutes as written. Board Member Joseph Bayusik and Thomas O'Reilly abstained.

The Board reviewed the minutes of the May 5, 2015 Elevator Installation, Repair, and Maintenance Work Examining Board meeting and voted to approve the minutes with a correction to the sentence on page 3, "See Page 5 for continued discussion on this topic", which now reads, "See Page 4 for continued discussion on this topic." Chairperson John DeRosa abstained.

The Board reviewed the minutes of the May 19, 2015 Elevator Installation, Repair, and Maintenance Work Examining Board meeting and voted to approve the minutes as written. Chairperson John DeRosa and Board Member Joseph Bayusik abstained.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

The Board voted unanimously to strike this item from the agenda.

APPEARING IN PERSON FOR RECONSIDERATION:

Asrar Ahmed, Brookfield, CT – (R-6) Accessibility Journeyperson – Denied

Mr. Ahmed's (R-6) application was denied by the Board on 4/7/15 due to lack of proof of equivalent experience and training. Mr. Ahmed appeared today for reconsideration of his application and provided the Board with additional documentation.

After review and discussion, the Board voted unanimously to deny Mr. Ahmed's (R-6) application due to the fact that Mr. Ahmed is not currently employed by a (R-5) or (R-1) license holder, documentation submitted does not provide proof of the required amount of on the job training and related instruction, and that there is an apprenticeship program approved by the State of Connecticut and Mr. Ahmed is not enrolled in this program.

APPLICATION FOR RECONSIDERATION:

Redmond Burns, Cooper City, FL – (R-2) Unlimited Journeyperson – Denied

Mr. Burns' (R-2) application was denied by the Board on 3/11/15 due to lack of proof of on the job training as required. Mr. Burns submitted additional paperwork for the Board to review for reconsideration of this denial.

After review and discussion, the Board voted unanimously to deny Mr. Burns' (R-2) application due to lack of proof of on the job training, specifically, documentation provided does not include a notarized statement from the employer, as required on the occupational trade license application and, in addition, lack of proof that the individual signing off on the on the employer letter is licensed.

APPLICATIONS:

None

OLD BUSINESS:

(Chairperson John DeRosa recused himself for this agenda item)

1. Request for declaratory ruling – Denials of (R-2) applicants Gerson Canhao and Michael Elia

Attorney Karen Wackerman was in attendance on behalf of the two above-referenced applicants. The Board reviewed documentation previously submitted, as well as new documentation. Paul Farnsworth reiterated that the Board will be issuing a declaratory ruling, as requested, regarding previous rulings on these applications.

Assistant Attorney General Raul Rodriguez, at Mr. Farnsworth's request, read Connecticut General Statute Section 4-176, which pertains to declaratory rulings. Attorney Rodriguez referred to Attorney Karen Wackerman's April 21, 2015 letter requesting a declaratory ruling and noted that it had been determined at the previous meeting that this letter improperly cites Connecticut Regulation 21a-1-10 in relation to declaratory rulings, and that proper statute to refer to going forward is CGS Statute Section 4-176. Attorney Rodriguez stated that at this time board's task is to address the remainder of the questions as to their previous rulings and in relation to the relevant statutes and regulations.

Paul Farnsworth stated that the Board is in the process of preparing a draft ruling at this time, and that the final declaratory ruling will be available at the July 7, 2015 Elevator Installation, Repair and Maintenance Work Examining Board meeting.

2. Clifford Bullock, (R-5) license holder, appeared to continue discussion on the installation of patient lifts.

Mr. Bullock appeared to follow up on his previous request for interpretation as to whether or not the installation of patient lifts is licensable work under the R-5/R-6 license according to Section 20-332-3a, Licensing of Accessibility Contractors or Journeyperson, and a brief discussion took place.

Chairperson John DeRosa indicated that filing a complaint with DCP Trade Practices Division is an option to consider. Mr. Bullock, in reply, stated that he does not wish to file a complaint at this time however he will contact DCP Trade Practices Director Richard Maloney regarding his concerns about the applicable regulations and statutes and safety concerns.

NEW BUSINESS:

1. Review of PSI exam results
Board so noted

2. Roster of apprenticeship program sponsors as shown on DOL website as of May 7, 2015; for the Board's information

The Board reviewed this document. It was noted that one sponsor listed, All State Construction, Inc., is included on this report in error.

3. Orchestra Pit Lifts and Stage Types of Lifts; for the Board's information

The Board reviewed this document and a brief discussion took place regarding concerns about G-8/G-9 license holders working on orchestra pit lifts and stage type of lifts along with R-1/R-2 holders.

4. Addendum A – Work Process Schedule – Trade Schedule For Elevator Constructor; for the Board's information

Board so noted

CORRESPONDENCE:

None

DCP TRADE PRACTICES DIVISION COMPLAINT STATUS REPORT:

DCP Trade Practices Division did not submit a complaint report at this time, as requested.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

None

2015 Meeting Schedule:

- July 7, 2015
- August 4, 2015
- September 1, 2015
- October 6, 2015
- November 3, 2015
- December 1, 2015

Meetings will be held at 9 a.m. in Room 117